

United States District Court

Oct 30, 2013

SEAN F. MCAVOY, CLERK

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Shawn W. Fitzgerald

Case Number: 0980 2:12CR02057-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: May 16, 2003

Type of Supervision: Probation

Original Offense: Unlawful Possession of Access
Devices, 18 U.S.C. § 1029(a)(3)

Date Supervision Commenced:

Original Sentence: Prison - 105 Months
TSR - 36 Months

Date Supervision Expires:

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 19 You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

CAUSE

Mr. Fitzgerald is currently at United States Penitentiary Victorville serving an 18-month revocation sentence. The defendant is scheduled to be released from Victorville on November 20, 2013. Mr. Fitzgerald does not have a release address and will be homeless. The defendant has requested he be placed at the Spokane Residential Reentry Center as a public law upon his release from prison.

Prob 12B

Re: Fitzgerald, Shawn W.

October 29, 2013

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Mr. Fitzgerald has agreed to the modifications and a signed waiver is enclosed for the Court's review.


Respectfully submitted,

by s/Jose Zepea

Jose Zepeda
U.S. Probation Officer
Date: October 29, 2013

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

10/30/2013

Date

SPROB 49
(J.39)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 30, 2013

SEAN F. McAVOY, CLERK

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

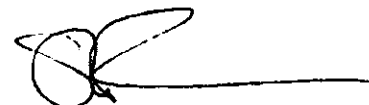
To modify the conditions of supervision as follows:

- 19 You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

Witness:

B. McDermott CSW

Signed:



Shawn W. Fitzgerald
Probationer or Supervised Releasee

10-25-13
Date